



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
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RICHARD J. CODEY
Acting Governor

SUSAN BASS LEVIN
Commissioner

TIMOTHY J. TOUHEY
Chair

ADAM J. ZELLNER
Executive Director

Resolution No. 2004-14
Page 1 of 2

Date: December 1, 2004
Patron: Michele Byers, Chair
Plan Implementation Committee

R E S O L U T I O N

AUTHORIZING EXECUTION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN AND BY THE NEW JERSEY STATE PLANNING COMMISSION AND THE COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on September 18, 1992, the State Planning Commission (Commission) and the Council on Affordable Housing (Council), pursuant to and in accordance with their respective statutory responsibilities, entered into a Memorandum of Understanding for the purpose of developing a cooperative process to better enable the Commission and the Council to carry out their legislative mandates; and

WHEREAS, the cooperative planning process developed pursuant to that Memorandum of Understanding continues to advance coordinated and comprehensive planning in the State of New Jersey and provide for greater predictability in planning with respect to meeting the legislative mandates of both the Commission and the Council, to the benefit of State agencies, counties, municipalities and the public interest; and

WHEREAS, the Commission, following the adoption of a new State Development and Redevelopment Plan on March 1, 2001, has, with the release of the Preliminary State Development and Redevelopment Plan on April 28, 2004, initiated the process of again revising and readopting a new State Development and Redevelopment Plan; and

WHEREAS, the Commission had also revised and readopted the State Planning Rules (N.J.A.C. 5:85-1.1 et seq.) which revised rules took effect on May 17, 2004; and

WHEREAS, the Council has adopted revisions to its rules (N.J.A.C. 5:94-1.1 et seq. and N.J.A.C. 5:95-1.1 et seq.) to provide for a new "growth share" approach to be utilized in determining municipal fair share housing obligations; and

WHEREAS, the Commission and the Council have determined that it is now appropriate to update the Memorandum of Understanding previously executed by the Commission and the Council by approving and executing a new Memorandum of Understanding that improves the level of



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coordination and cooperation between the Council and the Commission as they implement their respective new initiatives; and

WHEREAS, the Commission previously approved the new Memorandum of Understanding subject to it not being executed until the Commission received a report from its secretary and principal executive officer concerning the consistency of the adopted Council on Affordable Housing rules with the new Memorandum of Understanding; and

WHEREAS, the Commission's secretary and principle executive officer has prepared the required report and concluded that the adopted Council on Affordable Housing rules are consistent with the Memorandum of Understanding; and

WHEREAS, the Commission has reviewed the report prepared by its secretary and principle executive officer concluding that the adopted Council on Affordable Housing rules are consistent with the approved Memorandum of Understanding, and agrees with the conclusion therein that the adopted COAH rules are consistent with the approved Memorandum of Understanding,

NOW THEREFORE BE IT FURTHER RESOLVED that the State Planning Commission hereby authorizes its secretary and principal executive officer, Adam Zellner, to execute the Memorandum of Understanding on behalf of the State Planning Commission.